

SENATE BILL 835

P1, L6

2lr2232

By: **Senator Pipkin**

Introduced and read first time: February 3, 2012

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **State Development Plan – Conflicts with a County or Municipal Corporation**

3 FOR the purpose of requiring the Department of Planning and a certain county or
4 municipal corporation to meet in good faith and seek to resolve a certain conflict
5 between the State Development Plan and the county or municipal corporation
6 under certain circumstances; providing that the comprehensive plan, zoning
7 laws, and local ordinances of a county or municipal corporation shall govern for
8 a certain purpose if a certain conflict is not resolved; and generally relating to
9 conflicts that may arise regarding the State Development Plan.

10 BY adding to

11 Article – State Finance and Procurement

12 Section 5–606

13 Annotated Code of Maryland

14 (2009 Replacement Volume and 2011 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article – State Finance and Procurement**

18 **5–606.**

19 **(A) IF THERE IS A CONFLICT BETWEEN THE PLAN AND A COUNTY OR**
20 **MUNICIPAL CORPORATION CONCERNING THE IDENTIFICATION OF GROWTH,**
21 **PRESERVATION, OR OTHER PLANNING AREAS IN THE PLAN, THE DEPARTMENT**
22 **AND THE COUNTY OR MUNICIPAL CORPORATION SHALL MEET IN GOOD FAITH**
23 **AND SEEK TO RESOLVE THE CONFLICT.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(B) IF THE CONFLICT IS NOT RESOLVED, THE COMPREHENSIVE PLAN,**
2 **ZONING LAWS, AND LOCAL ORDINANCES OF THE COUNTY OR MUNICIPAL**
3 **CORPORATION SHALL GOVERN WITH RESPECT TO THE IDENTIFICATION OF A**
4 **GROWTH, A PRESERVATION, OR ANY OTHER PLANNING AREA.**

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 June 1, 2012.